

U.S. Department of Justice

United States Attorney
Southern District of New York



MEMO ENDORSED

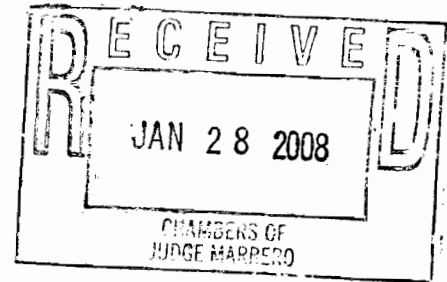
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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 28, 2008

By Hand

The Honorable Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: United States v. Rubin Perez
07 Cr. 502 (VM)

Dear Judge Marrero:

As Your Honor is aware, the defendant, Rubin Perez, is scheduled to be sentenced on February 29, 2008. The Government respectfully requests, with the consent of defense counsel, that the sentencing be adjourned until late April. At this time, neither of Mr. Perez's co-defendants (Javier Sanchez and Frank Tejada) have been sentenced; accordingly, the Government does not yet have the requisite information to file a motion under Section 5K1.1 of the Sentencing Guidelines as contemplated by Mr. Perez's cooperation agreement with the Government.

Thank you in advance for your consideration of this matter.

Request GRANTED. The sentencing of defendant <u>Rubin Perez</u> herein is rescheduled to <u>4-25-08</u> at <u>3:30 PM</u> SO ORDERED. <u>1-28-08</u> DATE <u>VICTOR MARRERO, U.S.D.J.</u>

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

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cc: AUSA Jeffrey A. Brown
Xavier R. Donaldson, Esq., Counsel to Rubin Perez
Stephanie Dunne, United States Probation Officer